

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

HERMAN BENSON, JR., Individually  
and On Behalf of All Others Similarly  
Situated,

Plaintiffs,

V.

CSA – CREDIT SOLUTIONS OF AMERICA, INC.,

Defendant.

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C.A. No. 3:08-CV-01735-G

**DEFENDANT'S MOTION TO VACATE ARBITRATOR'S CLAUSE CONSTRUCTION  
AWARD OR STAY THE PROCEEDINGS PURSUANT TO 9 U.S.C. §§ 10, 12**

Defendant CSA - Credit Solutions of America, LLC<sup>1</sup> (“CSA” or “Defendant”) respectfully submits this Motion To Vacate Arbitrator’s Clause Construction Award Or Stay Proceedings Pursuant to 9 U.S.C. §§ 10, 12. For the reasons provided in the contemporaneously-filed Memorandum of Law In Support Of Defendant’s Motion To Vacate Arbitrator’s Clause Construction Award Or Stay Proceedings Pursuant to 9 U.S.C. §§ 10, 12, CSA respectfully requests that this Court grant its Motion To Vacate Arbitrator’s Clause Construction Award. Should this Court deny CSA’s request to vacate, CSA requests that this Court stay the proceedings, while CSA appeals the denial to the Fifth Circuit Court of Appeals.

<sup>1</sup> The name of the corporate defendant in the caption is no longer correct.

Respectfully submitted,

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**CERTIFICATE OF CONFERENCE**

I hereby certify that prior to filing this motion I conferred with Plaintiff's counsel, who stated that he was opposed to the granting of this Motion.

s/ Kate L. Birenbaum

Kate L. Birenbaum

**CERTIFICATE OF SERVICE**

I hereby certify that, on August 5, 2010, true and correct copies of the foregoing pleading were served on all counsel of record, as listed below, via ECF filing.

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